THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION NO : 21735 of 2005

-

Dated: 05.10.2005

Between:

Smt P.Jagadamba, W/o Shiva Rao,

Aged about 69 years, R/o Gorrakkal

Village, Alladurg Mandal, Medak District.

..... PETITIONER

AND

1. The Collector (P.Wing), Medak District,

at Sanga Reddy and another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.21735 of 2005

-

ORDER:

-

The petitioner and the second respondent contested the election for the office of the Sarpanch of Gorrekal Village that was held on 17.08.2001. The petitioner allegedly got more votes, but the result was not declared due to destruction of election material and votes. The State Election Commission, therefore, declared the election void and ordered fresh election, assailing which, the petitioner filed W.P.No.24748 of 2001, which is still pending in this Court. The first respondent appointed one P.Nitalaksha, as Person-in-charge of Gorrekal Gram Panchayat of Alladurg Mandal under Section-143(3) of the Andhra Pradesh Panchayat Raj Act, 1994 (for short 'the Act'). The District Collector, however, issued a notification on 17.09.2005 replacing

Nitalaksha, and further directed the Extension Officer (PR & RD), Alladurg, to take complete charge of the post of Person-in-charge. In this writ petition the petitioner apprehends that the second respondent might manage to get a person of his choice appointed as Person-in-charge so as to take control of Gorrekal Gram Panchayat, which would amount to defeating the interests of the petitioner.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Panchayat Raj. The petitioner apprehends that the second respondent might get person of his choice appointed. Such apprehension has no factual foundation. Even according to the learned Counsel for the petitioner, the earlier writ petition, being W.P.No.24748 of 2001, is listed for final hearing, and the petitioner's remedy would be to pursue the said writ petition. If the petitioner succeeds in the matter, she can be declared as Sarpanch of Gorrekal Village. In this writ petition, it is not possible to invalidate the proceedings of the District Collector, dated 17.09.2005.

The writ petition is accordingly dismissed. No costs.

_____

(V.V.S.RAO, J)

05.10.2005

vs